

SUBJECT: Telecommuting	NUMBER: 50.050.01
DIVISION: Human Resource Services Division	EFFECTIVE DATE: Draft 9/21/09
APPROVED:	

POLICY STATEMENT: It is the policy of the State of Oregon to encourage state agencies to allow employees, where suitable, to telecommute when there are opportunities for improved employee performance, reduced commuting miles or agency savings.

AUTHORITY: ORS 240.145(3), 240.250, 240.855,

REFERENCE State HR Policy 20.005.20 Fair Labor Standards Act, Department of Administrative Service (DAS) Enterprise Information Strategy and Policy Division (EISPD) Information Technology (IT) and Information Security (IS) Policies

APPLICABILITY: All employees (where not in conflict with collective bargaining agreements)

ATTACHMENTS: Model Telecommuting Agreement
[DAS Technology Support Center – Telecommuting Application](#)

DEFINITIONS: See State HR Policy 10.000.01, Definitions; and OAR 105-010-0000

- (a) Central Worksite: The traditional office, official workstation, or workplace.
- (b) Suitable: As used in this policy refers to positions that have limited need for direct supervision and access to files, limited need for face-to-face contact with colleagues, clients, and customers, and limited need for access to the agency’s resources
- (c) [Alternate Worksite](#): A worksite alternate to the central worksite. It may be in the employee’s home or in a building owned or leased by the state
- (d) Telecommuting: A mutually agreed upon work option between the agency and the employee where the employee performs work at a telecommuting site on regular basis on specified days [or on an occasional, irregular basis with the remainder of the time at the central worksite](#)

POLICY

(1) State agencies are responsible to:

- (a) Apply [this](#) policy, where suitable, consistently throughout the agency
- (b) Communicate to all employees that telecommuting is a privilege and [may be](#) an available work option for employees whose work habits and position are suitable as determined by the agency.

- (c) Provide safeguards to offset the increased security risk to information and data used by telecommuting employees.
 - (d) Follow agency policies, DAS-EISPD Policies and Enterprise Security Policies to ensure confidential information (paper and electronic) is appropriately secured in transit and at the alternate worksite.
 - (e) Provide initial and ongoing training on protecting confidential state information. Agencies will ensure: secure network access to the state; devices used by employees maintain appropriate level of security software and configurations; and employees can work without endangering state information.
- (2) Telecommuting is voluntary unless it is made a condition of employment at the time of hire. Employees sign and abide by telecommuting agreements between the employee and the supervisor and the agency. Unless otherwise provided in the agreement, either the agency or the employee may discontinue the arrangement at any time.
- (a) Employee salary, benefits and employer-sponsored insurance coverage shall not change as a result of telecommuting.
 - (b) Managers will monitor and ensure employee compliance with relevant state policies, performance standards, work product, productivity and time accountability. Employees will be responsible to account for all time worked and use other leave, as appropriate, with management approval. Management may consider flexible work schedules, when appropriate.
 - (c) Employee work schedules must maintain compliance with Fair Labor Standards Act regulations, Collective Bargaining Agreements, or State HR Policy 20.005.20 Fair Labor Standards Act.
- (3) An employee's condition of employment shall remain the same as for non-telecommuting employees. .
- (a) Employees will have sufficient telephone arrangements to perform their work and to participate in telephone conferences during agreed-upon work hours.
 - (b) Employees do not hold business visits and in-person meetings with agency customers or co-workers at the alternate work site.
 - (c) Alternate work sites must be in Oregon or in the same state as the central worksite. The appointing authority must request DAS HRSD and DAS Risk Management Division approval for an out-of-state telecommuting arrangement.
 - (d) The agency provides alternate work site office supplies.
 - (e) The agency may provide equipment and software for use at the alternate work site. The equipment and software are for conducting only agency business and must comply with agency desktop security and maintenance policies and practices.
 - (f) Equipment and software, if provided by the employee, must comply with agency desktop security and maintenance policies and practices, and any additional safeguards required by the agency. Note: State information stored on personal electronic equipment is subject to public records requests and agency review.
 - (g) The employee normally provides home worksite furniture and equipment and should maintain a clean and safe work space. The employee must immediately report to the agency supervisor any injury occurring during work hours. The state will not be responsible for loss, damage, repair, replacement, or wear of personal property or equipment.

**MODEL
TELECOMMUTING AGREEMENT**

EMPLOYEE NAME: _____ **DATE OF REQUEST:** _____

SCOPE OF AGREEMENT

The employee agrees to perform services for the employer as a “telecommuter.” Telecommuting is voluntary and may be terminated at any time by either the employee or employer, unless it was made a condition of employment at the point of hire.

BENEFITS

The reason for this agreement is:

- Opportunity for improved employee performance
- Reduced commuting miles
- Agency savings

ARRANGEMENTS

Date telecommuting will begin: _____

Intervals for telecommuting review: _____

Agency policy for payment of business telephone and data calls from the alternate work site:

SALARY, JOB RESPONSIBILITIES AND BENEFITS

Salary, job responsibilities and benefits will not change because of involvement in telecommuting. The employee agrees to comply with all existing job requirements and expectations that are in effect in the office.

WORK SCHEDULE

Irregular Basis:

Employee must gain agreement and approval by management prior to commencing. The agreed upon day(s) shall be documented by the manager. This information is also used to verify time worked on timesheets.

Employee work schedule remains the same while telecommuting, unless an official work schedule change is requested for telecommuting day(s).

Regular Basis:

___ Mon ___ Tues ___ Wed ___ Thurs ___ Fri

If the telecommuter must come into the office on a scheduled telecommuting day, can another day be substituted? ___ Yes ___ No If yes, please confirm in writing alternate day(s), as applicable.

Work Schedule: me: Start: _____ Finish: _____ Total hours per day: _____

Work hours are not expected to change while telecommuting. Discuss anticipated overtime and seek approval in advance from the supervisor.

TASKS

Expected assignment(s) to be completed on telecommuting day(s):

ALTERNATE WORK SITE

The agency does not reimburse the employee for travel between alternate work site and the central worksite.

Indicate type and address of alternate work location:

___ Home: _____

___ Satellite/Other: _____

Indicate telephone numbers while working at alternate site:

Alternate site telephone #: _____ Home #: _____ Cell #: _____

COMMUNICATION

Will the following be utilized?

Call forwarding: ___ Yes ___ No

Answering machine or voice mail: ___ Yes ___ No

Receptionist or co-workers take calls: ___ Yes ___ No

How will incoming calls to the central worksite be answered on telecommuting days?

The employee agrees to call the office to obtain messages at least ____times a day. The employee shall promptly notify the supervisor when unable to perform work assignments due to equipment failure or other unforeseen circumstances. Other procedures: _____

EQUIPMENT

The agency is not responsible for any private property used, lost or damaged. The state may pursue recovery from the employee for state property that is deliberately or negligently damaged or destroyed while in the employee’s care, custody or control. Employees are advised to contact their insurance agent and a tax consultant for information regarding home worksites.

Personal computer equipment used to telecommute must comply with agency security policies and practices. State information stored on personal electronic equipment is subject to public records requests and agency review.

In the event of equipment failure, the employee may be assigned to another project or work location. The employee shall surrender all state equipment and data documents immediately upon request.

According to State Policy 107.004.050, the security level of the information used at the [alternate work](#) site is:

- Level I (Published) _____
- Level II (Limited) _____
- Level III (Restricted) _____
- Level IV (Critical) _____

What measures have been taken to secure the information and equipment at the [alternate work](#) site?

What review period has been agreed upon for these security measures?

What equipment will be used?

ITEM	INVENTORY NO.	OWNER

OTHER ARRANGMENTS:

Additional conditions agreed upon by the employee and supervisor:

TERMINATION

The agency or employee may discontinue this arrangement at anytime.

ACKNOWLEDGEMENT

I have read and understand the State HR 50.050.01 Telecommuting Policy, the telecommuting procedures of my organization, and this agreement. I agree to abide by and operate in accordance with the terms and conditions outlined. I agree that the sole purpose of this agreement is to regulate telecommuting and that it neither constitutes an employment contract nor amends any existing contract.

Employee: _____

Date: _____

Supervisor: _____

Date: _____

Agency Information Security Officer: _____

Date: _____

